IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 13958 of 1994

(On being mentioned by way of W.P.M.P.No.21935 of 2004)

Between:

A.Ramdas, S/o. Pitchaiah.
Madhavaram, Cuddapah.

..... PETITIONER

AND

1 Director of School Education, Govt. of A.P.,
Hyderabad.
2 Regional Joint Director of School Education, Cuddapah.
3 District Educational Officer, Cuddapah.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records pertaining to the proceedings of the 3rd respondent dated 20/07/1994 in his proceedings Rc.No.12359/B8/92 wherein he had communicated the orders passed by the 1st respondent in his proceedings Rc.No.1930/B3/92 dated 11/07/1994 and quash the same by issuance of a Writ, Direction or order, particularly one in the nature of Certiorari.

Counsel for the Petitioner: MR.N.BHARAT BABU.

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court made the following :

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HONOURABLE SRI JUSTICE D.S.R.VARMA

WRIT PETITION No. 13958 Of 1994

(For being mentioned)

ORDER (On being mentioned):

Heard both sides.

2. While dismissing the writ petition through the order dated 22-04-2004, this Court observed that the petitioner has to prefer an appeal or revision before the appellate authority before approaching this Court. This Court further observed that an appeal is provided under Section 80 of the Andhra Pradesh Education Act (for brevity 'the Act') and a revision is also provided under Section 90 of the Act.

3. Today, the learned counsel for the petitioner seeks clarification stating that no remedy of appeal is available under Section 80 of the Act, and that the only remedy provided under the Act is Revision under Section 90 of the Act.

4. It is suffice to clarify that the petitioner is at liberty to avail the alternative remedy either under Section 80 of the Act by preferring an appeal or under Section 90 of the Act by way of a revision or under any other provision under the Act.

5. It is needless to mention that in the event of any such appeal or revision or any other application is made to the competent authority under the Act, the same shall be decided by the competent authority in accordance with law within four months from the date of receipt of a copy of this order. In the mean time, the parties shall maintain status-quo till such time.

6. With the above clarification, the matter is closed.

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September 23, 2004

KVR

To

1 Director of School Education, Govt. of A.P.,
Hyderabad.
2 Regional Joint Director of School Education, Cuddapah.
3 District Educational Officer, Cuddapah.

4 Two C.Cs to the G.P. for Education, High Court Buildings,

High Court of A.P., Hyderabad.